



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

April 11, 2013

ConAgra Foods Lamb Weston, Inc
Attn: Reagan Grabner
PO Box 1900
Pasco, WA 99302-1900

Re: Water Right Application No. CS4-16571(D)@4

Dear Mr. Grabner:

Enclosed is a copy of the Department of Ecology's *Temporary Change Authorization*. This document contains our decision regarding your application.

Your application has been approved.

If you have any questions or for other options to protect your water right, please contact Tom Perkow at (509) 454-4261.

Sincerely,

Mark C. Schuppe
Operations Manager
Office of Columbia River

MCS:RAZ (130434)

Enclosures: *Temporary Change Authorization*
Your Right To Be Heard
Water Measurement Device Installation and Operation Requirements (070-170)

Cc: Philip Rigdon, Yakama Nation
Tim Reiersen

By certified mail: 7009 2250 0004 4950 7730

FILE COPY



7009 2250 0004 4950 7730

U.S. Postal Service TM	
CERTIFIED MAILTM RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$
CONAGRA FOODS LAMB WESTON INC ATTN: REAGAN GRABNER PO BOX 1900 PASCO WA 99302-1900	
Street, Apt. No., or PO Box No. City, State, ZIP+4	
PS Form 3800, August 2006	
See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature X <i>L Hale</i>	
CONAGRA FOODS LAMB WESTON INC ATTN: REAGAN GRABNER PO BOX 1900 PASCO WA 99302-1900		B. Received by (Printed Name) <i>L Hale</i>	
		C. Date of Delivery <i>4/12/13</i>	
		Delivery address different from item 1? <input type="checkbox"/> Yes If ES, enter delivery address below: <input type="checkbox"/> No	
		Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label)		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
PS Form 3811, February 2004		Domestic Return Receipt	
		102595-02-M-1540	



State of Washington
Seasonal/Temporary Change
Authorization CS4-16571(D)@4
For 2013 and 2014 Only

File NR CS4-16571(D)@4
WR Doc ID 5525694

APPLICATION SUBMITTAL
February 4, 1971

SEASONAL CHANGE AUTHORIZATION NUMBER
CS4-16571(D)@4

MAILING ADDRESS
ConAgra Foods Lamb Weston, Inc
Attn: Reagan Grabner
PO Box 1900
Pasco, WA 99302-1900

SITE ADDRESS (IF DIFFERENT)
No specific address for these irrigated acres.
Generally, the place of use is high up on Canoe
Ridge, west of Paterson, WA.

Quantity Authorized for Diversion

DIVERSION RATE	UNITS	ANNUAL QUANTITY (AF/YR)
3.23	CFS	616.3

Purpose

PURPOSE	DIVERSION RATE		UNITS	ANNUAL QUANTITY (AF/YR)		PERIOD OF USE (mm/dd)
	ADDITIVE	NON-ADDITIVE		ADDITIVE	NON-ADDITIVE	
Irrigation	3.23		CFS	616.3		02/15 - 10/31

REMARKS

This change is seasonal for the 2013 and 2014 irrigation seasons only.

ADDITIVE	IRRIGATED ACRES		PUBLIC WATER SYSTEM INFORMATION	
	NON-ADDITIVE		WATER SYSTEM ID	CONNECTIONS
145			N/A	

Source Location

COUNTY	WATERBODY	TRIBUTARY TO	WATER RESOURCE INVENTORY AREA
Benton	Columbia River	Pacific Ocean	31-Rock-Glade

SOURCE FACILITY/DEVICE	PARCEL	TWP	RNG	SEC	QQ Q	LATITUDE	LONGITUDE
Columbia River		04N	24E.W.M.	04	GL 1		

Place of Use

PARCELS (NOT LISTED FOR SERVICE AREAS)

127543000000000 and 134541000000000

LEGAL DESCRIPTION OF AUTHORIZED PLACE OF USE

S½S½ of Section 27 and the N½N½ of Section 34 both in T. 5 N., R. 24 E.W.M.

Proposed Works

Irrigation system is already in place and operable. Meter dedicated to the site to be installed.

Development Schedule

BEGIN PROJECT

N/A

COMPLETE PROJECT

Completed

PUT WATER TO FULL USE

In Full Use

Measurement of Water Use

How often must water use be measured?

Weekly

How often must water use data be reported to Ecology?

Annually (Jan 31)

What volume should be reported?

Total Annual Volume in acre-feet

What rate should be reported?

Annual Peak Rate of Diversion (cfs)

Provisions

Measurements, Monitoring, Metering and Reporting

An approved measuring device must be installed and maintained that is dedicated to measuring water use under this authorization only. The measuring device shall be installed and maintained in accordance with the rule "Requirements for Measuring and Reporting Water Use", Chapter 173-173 WAC, which describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.

Recorded water use data from the dedicated measuring device shall be submitted via the Internet. To set up an Internet reporting account, contact the Central Regional Office. If you do not have Internet access, you can still submit hard copies by contacting the Central Regional Office for forms to submit your water use data.

Department of Fish and Wildlife Requirement(s)

The intake(s) must be screened in accordance with Department of Fish and Wildlife screening criteria (pursuant to RCW 77.57.010, RCW 77.57.040, and RCW 77.57.070). Contact the Department of Fish and Wildlife, 600 Capitol Way N, Olympia, WA 98501-1091. Attention: Habitat Program, Phone: (360) 902-2534 if you have questions about screening criteria. <http://wdfw.wa.gov/about/contact/>.

No dam or weir may be constructed in connection with this diversion.

Quantity Limits, Flow and Regulation

This change does not authorize an enlargement of those quantities in cubic feet per second or acre-feet per year as described under S4-16571(D)P.

One hundred forty-five (145) acres of the original place of use of Surface Water Permit S4-16571(D)P shall be fallowed for the duration of the 2013 and 2014 irrigation seasons, unless other rights are transferred to cover these 145 acres pursuant to RCWs 90.03.380 or 390. Irrigation occurring during the 2013 and 2014 irrigation seasons within the transferred 145 acres of the place of use of S4-16571(D)P shall constitute a violation of the terms of this authorization, and will result in its immediate termination – unless other rights are transferred to cover these 145 acres pursuant to RCWs 90.03.380 or 390. Other enforcement actions, including but not limited to fines and/or penalties, may also follow as a result of a violation.

Easement and Right-of-Way

The water source and/or water transmission facilities are not wholly located upon land owned by the applicant. Issuance of a water right change authorization by this department does not convey a right of access to, or other right to use, land which the applicant does not legally possess. Obtaining such a right is a private matter between applicant and owner of that land.

Water Use Efficiency

The water right holder is required to maintain efficient water delivery systems and use of up-to-date water conservation practices consistent with RCW 90.03.005.

Schedule and Inspections

This seasonal change shall expire at the end of the 2014 irrigation season, being October 31, 2014, at which time the transferred 145 acres of the place of use shall automatically revert back to that described under S4-16571(D)P.

Department of Ecology personnel, upon presentation of proper credentials, will have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

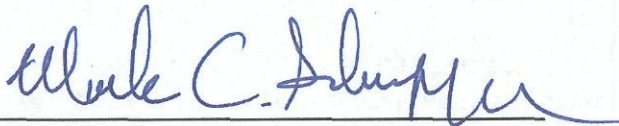
General Conditions

Nothing in this authorization shall be construed as satisfying other applicable federal, state, or local statutes, ordinances or regulations.

Ecology assumes no liability for the purchase and/or construction of any permanent facilities in conjunction with this seasonal change authorization. Applicants for seasonal change should not construe that a seasonal change will result in the granting of a permanent change of water right.

Authorization

DATED this 5th of April, 2013



Mark C. Schuppe
Operations Manager

Your Right To Appeal

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do the following within 30 days of the date of receipt of the Order.

File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.

- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.
- You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel RD SW Ste 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>. To find laws and agency rules visit the Washington State Legislature Website: <http://www1.leg.wa.gov/CodeReviser>.